



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554



May 24, 2019

Matthew Guariglia
MuckRock News
DEPT MR 71570
411A Highland Ave.
Somerville, MA 02144

71570-71401843@requests.muckrock.com

FOIA No. 2019-368

Dear Mr. Guariglia:

This letter responds to your recent Freedom of Information Act (FOIA) request received by the Federal Communications Commission (FCC or Commission) and assigned to the Consumer & Governmental Affairs (CGB) and Enforcement Bureaus (EB). The request seeks any complaints concerning the Netflix show, "Chilling Adventures of Sabrina" or "Sabrina the Teenage Witch." Your request has been assigned FOIA Control No. 2019-368. We are responding to your request electronically.

CGB conducted a search of the databases in which we maintain the records of informal complaints filed by, or on behalf of, consumers. Our search did not reveal any documents responsive to your request. EB informed CGB that it did not identify any responsive records.

We are required by both the FOIA and the Commission's own rules to charge requesters certain fees associated with the costs of searching for, reviewing, and duplicating the sought after information.¹ To calculate the appropriate fee, requesters are classified as: (1) commercial use requesters; (2) educational requesters, non-commercial scientific organizations, or representatives of the news media; or (3) all other requesters.² Pursuant to section 0.466(a)(8) of the Commission's rules, you have been classified for fee purposes as category (3), "all other requesters."³ As an "all other requester," the FCC assesses charges to recover the full, reasonable direct cost of searching for and reproducing records that are responsive to the request; however, you are entitled to be furnished with the first 100 pages of reproduction and the first two hours of search time

¹ See 5 U.S.C. § 552(a)(4)(A), 47 C.F.R. § 0.470.

² 47 C.F.R. § 0.470.

³ 47 CFR § 0.466(a)(8).

without charge under section 0.470(a)(3)(i) of the Commission's rules.⁴ Based on your classification as an "all other" requester, the FCC does not charge you for the first two hours of search time and the first 100 pages of copying. Because preparing the response to your request falls within these limits, the FCC is not charging you for processing it. If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.⁵ You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action" and the application should refer to FOIA No. 2019-368.

If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission, Office of the Managing Director,
Performance Evaluation and Records Management
445 12th St SW, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's Office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

⁴ 47 CFR § 0.470(a)(3)(i).

⁵ 47 CFR §§ 0.461(j), 1.115; 47 CFR § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "Nancy Stevenson", is positioned above the printed name.

Nancy Stevenson
Deputy Chief
Consumer Policy Division
Consumer & Governmental Affairs Bureau